

14. Changing the present name of the House to "Legislative Assembly"

Mr. M. K. Raja (Mulakunnathukavu): Mr. President, Sir, I move the following resolution standing in my name.—“This House recommends to Government that the House be hereafter known as “Legislative Assembly” and not “Legislative Council”. After the notice of my resolution left my hands I have been rather exercised in my mind as to how exactly the Hon'ble Members of this House would take to this proposition. I thought that perhaps this House might take it that the proposition which I have placed before it is altogether too insignificant matter to merit the distinction of a discussion by this House. What does my resolution say? It just suggests to the Government that this Legislative Council may be allowed to change its name and adopt a new name in its place. Sir, there might be Hon'ble Members of this House who might feel that I am being rather flippant, a little frivolous, in trying to tamper with the name, the very fair name of the representative body with a venerable tradition of a score and more of years behind it. No, Sir, it is and it has always been far from the mind of this humble member to do anything or to say anything in this House which might even be remotely considered as an attempt to take liberties with the name of this August Assembly. I feel sure that there are at least some members in this House who might take a more philosophic, a more tolerant view and who, like the good old Greek Philosopher might sit back in their seats and smiling indulgently at me, murmur.—“after all, what is there in a name”. If there are any in the House who take that view, I must thank them. Sincerely and also say that it is quite in keeping with the dignity and with the sense of responsibility of this House.

So far as the question of the seriousness of the subject is concerned I am sure that at least some of the Hon'ble Members of this House will be with me in thinking that a House, which could in all seriousness and at great length discuss the very intricate problem connected with the matrimony of nurses or the eniable pleasures of drunkenness, might certainly allow me to move this resolution in this House. At the same time, there might be some others who may say “what does it matter whether it is called a Legislative Council or a Legislative Assembly”. After all, what does matter is really the power, the responsibility and status of this Legislative body which represents 14 lakhs of Cochinities”. But I do not find my way to agree with that argument and I must confess that I cannot agree in toto with the good Greek Philosopher either. For after all, I believe there is something in a name. A name is a mere label, and in a world where standardisation as progressed far, I think it will be a distinct folly to lightly brush away the advantages of having a well-designed label for our Legislative Assembly.

Coming to the more serious aspect of the matter I may point out that legislative bodies all over the world are called by different names. There appears to have been no uniformity, no method, no principle, in the way in which the main legislative body of the realm is given its nomenclature. For example, in England it is called the Parliament, in Russia Congress of Soviets, in America the Congress, in Germany the Reichstag, in Japan it was called the Diet. In India ever since our present Indian Legislative Assembly came into being it seems that we have stuck to the practice of calling our main Legislative body as Assembly. The word “Assembly” as the Hon'ble Members might remember, was introduced into India under the Montague Chemsford Reforms Act of 1919. This term was then apparently considered by the authors of the Act as conveying something of the idea of its representative character; because, till the reforms of 1919 the Imperial Legislature was known not as ‘Legislative Assembly’ but as ‘Legislative Council’, and the author of the Reforms apparently thought that the term ‘Assembly’ would be more appropriate in view of the enhanced powers and status of the main legislative body of India. It is therefore clear Sir, that though there is nothing in constitutional parlance to warrant this the term ‘assembly’ has by tradition and by usage come to acquire, so far as India is concerned to carry the idea of the representative character of that body which is also the main legislative body of the realm.

Coming to more recent events, if we take the Government of India Act of 1935, we find the same idea is pursued in the framing of that Act also. According to that Act, you will remember, 11 Governor's Provinces were created in British India. Out of these, six provinces—Madras, Bombay, Bengal, United Provinces, Behar and Assam have bicameral Legislatures. In all these Provinces the Lower House which is also the main Legislative body is called the Legislative Assembly and the Second Chamber is called the Legislative Council. So far as our little State is concerned I believe that a more apposite comparison will be not with the Provinces which have a bicameral legislature but with those Provinces in British India which have only Unicameral

Legislature with a single chamber. You will find that in the Central Provinces, Sind, the Punjab North West Frontier Provinces, etc., these single chambers which are the only legislative body are called the "Legislative Assemblies" and not "Legislative Councils". It is very significant therefore, Sir; that unlike our own State, the Legislative Bodies in those places which have unicameral Legislatures like ourselves are called "Legislative Assemblies". Now, it will be quite appropriate for us also to fall in line with our sister British Provinces and native States like Travancore and Mysore in this matter and call our Legislature also by this accepted term only an attempt at regularising our constitutional practices and introducing some sort of uniformity into our own political phraseology.

I am not for a moment suggesting that it would not have been altogether happier if our Indian legislative bodies are called by some Indian name as in Germany and other self-governing countries. Swadesi has its own value in politics as well as economics. It has a sentimental and psychological value, I admit that. But as I said before the term "Assembly" has rightly or wrongly come to stay in our political dictionary and it has by long usage and custom assumed some sort of tradition also; and so far as I am concerned, I would much rather have some sort of uniformity introduced in our constitutional practices rather than that we should run after mere sentimental proprieties. I therefore, feel that Government will be only too willing to accept this proposition. I do not mind how it is done. Probably it can be left to the decision of the Constitutional Advisory Committee which is working out the main ideas of the future constitution of Cochin, or, probably it might be done even tomorrow by a Royal Proclamation from His Highness the Maharaja. I only commend this resolution to the acceptance of this House.

Before doing so, I believe I shall be right in saying from what has transpired a few minutes ago in this House, that Hon'ble Members of this House would add very much to the dignity and to the sense of responsibility of this House if they have some what better in the course of the discussion.

***Mr. P. Kumaran Ezhuthassan (Vadakkancheri):** I have very great pleasure to second this resolution tabled by my Hon'ble friend for whom I have got the greatest esteem. We are indeed obliged to him for taking us through the name given to such bodies the world over and coming nearer home he has told us that British Indian Provinces where unicameral chamber exists, as also the sister State of Travancore, the deliberative body of people is called "Assembly". Hence the suggestion and the commendation was that we Cochinites also fall in line and keep company with both the States and British Indian Provinces. A reference to the dictionary, Sir, of the meaning of the word "Assembly" would show it is "a concourse especially a deliberative body, follows next Council". When you refer to the meaning of the word "Council" you will see "Assembly". So, one means the other. If anybody were to put the question "why the change?" It has been very ably answered by the Hon'ble mover of the resolution. This resolution, I am sure, will have the same good luck as very many resolution of this session had, I am sure the Government will accept the proposition in its entirety. When you say that you will accept it in its entirety, take pains to see that this that the printers mistake is not allowed to be there when you change the name. There is nothing to be said on the merits. Of course my Hon'ble friend said that it may as well be done after the deliberations of our Consamby are over or over-night. Please do not take shelter that the resolution as worded is acceptable to them. This resolution should be treated as on a par with my resolution for an elected President of the House in moving which I referred to another resolution tabled by the Hon'ble Deputy President where the request was that this House be pleased to have an elected President from the next session. The resolution being to change the name, it may be accepted. It is enough if you change the name of the Council as a result of the recommendation of the Consamby of Cochin and not over-night, because it serves no purpose because we are not sitting tomorrow. When we meet next time, let us meet in Assembly.

Yet another reason which was not mentioned by the Hon'ble Member. From the paper reports I find that there is a recommendation to have a Second Chamber in that report of the Franchise Committee. If that recommendation is going to be accepted there is all the more reason why the name should be changed. Even if that is not going to be accepted the name must be changed. On the merits of the case as also for other reasons stated by me with this qualification that the Council do meet in an Assembly of the type that the Hon'ble mover wants it to be. I whole-heartedly support this resolution.

**Speech not corrected by the Hon'ble Member.*

Rao Sahib P. V. Raphael (Chief Secretary to Government): As it is, the resolution is a very simple one or an innocent one and Government intend to accept it. I do not think that the change of the name adds to the dignity of the House. It is a very simple one and Government may have an early opportunity to consider this question either in connection with the report of the Franchise Committee or with the report of the Constitutional Advisory Committee.

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): Not earlier?

Rao Sahib P. V. Raphael (Chief Secretary to Government): I do not see any particular advantage in changing the name all at once. The mover of the resolution himself suggested, I think, that it can well be dealt with in connection with either the Franchise Committee report or the Constitutional Advisory Committee Report.

Resolution, by leave, withdrawn

Mr. P. Kumaran Ezhuthassan (Vadakkancheri): Will the Hon'ble Deputy President allow me to move the resolution standing in the name of Mr. K. T. Achuthan. Of course, it requires his authorisation. I make that request if that is permissible.

Deputy President: The rule is that there should be his authorisation in writing. Therefore, the request cannot be allowed.

15. Necessity of standardising grades of pay of clerks having identical educational qualification

* മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: സർ, "തുല്യവിദ്യാഭ്യാസ യോഗ്യതയോടുകൂടിയ എല്ലാ റെക്കർ ഉദ്യോഗസ്ഥന്മാരുടേയും കീഴ്ജീവനക്കാരുടേയും ശമ്പളത്തോടു് എത്രതു വകുപ്പിലായാലും ശരി തുല്യമാക്കേണമെന്നും അതു് ടൈംസ്ക്രെയിൽ സമ്പ്രദായത്തിലാക്കേണ്ടതാണെന്നും ഈ കൌൺസിൽ ഗവണ്മെണ്ടിനോടു ശുപാർശ ചെയ്യുന്നു" എന്നുള്ളതാണ് എന്റെ പ്രമേയം. ഇതിന്നു പ്രായോഗിക വശംനോക്കി വരുമ്പോൾ വല്ല ഭേദഗതിയും ചെയ്തുണ്ടായിട്ടുണ്ടെന്നു തോന്നിയാൽ അതു് ചെയ്യാൻ വിരോധമില്ല. സാമാന്യമായി പറയുകയാണെങ്കിൽ, അനുഭവംവെച്ചു നോക്കുമ്പോൾ ഇപ്പോഴത്തെ ഉദ്യോഗസ്ഥന്മാരിൽ പലക്കും അത്യാത്മയോടുകൂടി ജോലി ചെയ്യാൻ സാധിക്കാത്ത ഒരു പരിതസ്ഥിതിയാണുള്ളതു്. അതിനുള്ള കാരണം അവരുടേപ്പാലെ പരീക്ഷായോഗ്യതയും മറ്റുമുള്ളവർ, അവരോടൊരുമിച്ചു് സർവ്വീസിൽ പ്രവേശിച്ചിട്ടുള്ളവർ, ചിലപ്പോൾ അവരുടെ മേലധികാരികളായിവരുന്നു. ചിലപ്പോൾ അവരുടെ കീഴിലിരുന്ന ആളുകൾ അവരുടെ മേലധികാരികളായിവരുന്നു. ഇങ്ങിനെയുള്ള ആളുകളിൽ ആത്മാത്മതയുടെ കണികപോലും കാണുന്നില്ലെങ്കിൽ അതിൽ അർത്ഥത്തിനവകാശമില്ല. സർവ്വസാധാരണമായി കണ്ടുവരാറുള്ളതാണ് ഈ സ്വഭാവം. ഇതിനുദാഹരണം പറയാം. ഇപ്പോൾ ചില ഡിപ്പാർട്ടുമെന്റുകളിൽ ൨0 to ൫൦൦ ആയിരിക്കും ഗ്രേഡ്. ഏവിടെ ഒരാളെ നിയമിക്കുമ്പോൾ അതേസമയത്തു അതേ പരീക്ഷാ യോഗ്യതയുള്ള മറ്റൊരാൾ ഗവണ്മെണ്ടുദ്യോഗത്തിനവേക്ഷിക്കുമ്പോൾ അയാൾക്കു മറ്റൊരു ഡിപ്പാർട്ടുമെന്റുകളിൽ കൂട്ടിയാൽ ൧0 മുതൽ ൨൦ വരെ എന്നോ അല്ലെങ്കിൽ ൨൦ മുതൽ ൨0 വരെ എന്നോ അതല്ലെങ്കിൽ ൨0 മുതൽ ൪൦ വരെ എന്നോ ഉള്ള ഗ്രേഡിലായിരിക്കും കിട്ടുക. അതു് അയാളുടെ സാമത്വക്കുറവുകൊണ്ടോ, പരീക്ഷായോഗ്യതയുടെ ഭോഷം കൊണ്ടോ അല്ല. ചിലപ്പോൾ ചിലരുടെ ഭാഗ്യത്താലോ, സേവയാലോ മറ്റൊരു ആയിരിക്കാം ഇങ്ങിനെയൊക്കെ ചില സ്ഥാനങ്ങളിൽ കടന്നുകൂടാൻ സാധിക്കുക. ഒരാൾ ബി. എ. പാസ്സായി ഉദ്യോഗത്തിൽ ചേർന്ന അതേസമയത്തുതന്നെ അദ്ദേഹത്തെപ്പോലെതന്നെ ബി. എ. പാസ്സായി ഉദ്യോഗത്തിൽ കയറിയ മറ്റൊരാൾ അദ്ദേഹത്തിന്റെ മേലധികാരിയായി വന്നുചേർന്നിട്ടുള്ള ഉദാഹരണം കൊച്ചിരാജ്യത്തു അടുത്തകാലത്തുണ്ടായിട്ടുണ്ടു്. അങ്ങിനെയുള്ള ആളുകളെ സമഭാവനയോടുകൂടി വീക്ഷിച്ചു തുല്യപരീക്ഷായോഗ്യതയുള്ളവർക്കു് ഒരുപോലെ യുള്ള ശമ്പളം കൊടുത്തു് ഉദ്യോഗത്തിൽ നിയമിക്കേണമെന്നു് ഗവണ്മെണ്ടിനെ മനസ്സിലാക്കുവാൻ വേണ്ടിയാണ്, ഗവണ്മെണ്ടിനെ ഉൽബോധിപ്പിക്കുവാൻ വേണ്ടിയാണ് ഈ പ്രമേയം ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ളതു്.

*Speech not corrected by the Hon'ble Member.